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FROM: Frank L. Cire (Reg. No.: 42,419)

RE: U.S. Application No. 10/023,757
Attn: J. Hu
Group Art Unit 2154
Atty. Docket No. 00169.002260.

FAX NO.: (571) 273-8300

DATE: August 1, 2005

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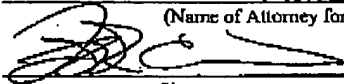
MESSAGE

**Transmitted herewith is a Response To Restriction Requirement in response to the
Office Action dated June 30, 2005.**

I hereby certify that this correspondence is being facsimile transmitted
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(Name of Attorney for Applicant)


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00169.002260.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
ALISON JOAN LENNON)	Examiner: J. Hu
Application No.: 10/023,757)	Group Art Unit: 2154
Filed: December 21, 2001)	
For: A METHOD FOR FACILITATING)	
ACCESS TO MULTIMEDIA)	
CONTENT)	Monday, August 1, 2005

Commissioner for Patents
P.O. Box 1450
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RESPONSE TO RESTRICTION REQUIREMENT WITH TRAVERSE

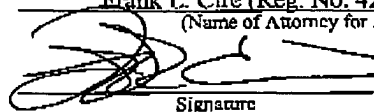
Sir:

In response to the Restriction Requirement dated June 30, 2005, Applicant hereby provisionally elects to prosecute Claims 15, 16, 37, 38, 47 and 49 to 53 which belong to Group III. The requirement is respectfully traversed.

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August 1, 2005
(Date of Transmission)

Frank L. Cire (Reg. No. 42,419)
(Name of Attorney for Applicant)


Signature

August 1, 2005
Date of Signature

As an initial matter, upon review of the Claims as grouped by the Examiner, Applicant notes that Claim 49 is directed to a browser application that implements the method of Claim 15. Therefore, Applicant submits that Claim 49 should have been included in Group III. Accordingly, Applicant requests that Claim 49 be added to the claims of Group III which should Applicant submits should be Claims 15, 16, 37, 38, 47 and 49 to 53.

The requirement is respectfully traversed on the following grounds.

An application may be properly required to be restricted to one of two or more claimed inventions only if the inventions are able to support separate patents and they are either independent or distinct. MPEP § 803. If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. MPEP § 803.

"The term 'distinct' means that two or more subjects as disclosed are related, for example, as combination and part (sub-combination) thereof, process and apparatus for its practice, process and product made, etc., but are capable of separate manufacture, use, or sale as claimed and are patentable (novel and unobvious) over each other (though they may each be unpatentable because of the prior art)." MPEP § 802.01. In this regard, Applicants respectfully submit that the claims of Groups I, II and III are all generally directed to the field of art concerning monitoring subscribers to a network to determine statistically desirable material. Accordingly, two-way distinctness is not seen to be present between the claims of Groups I, II and III. MPEP § 806.05(c).


Even if Groups I, II and III are considered to be independent or distinct inventions, which Applicant does not admit to be the case, the search and examination of all pending claims of Groups I, II and III can be made without serious burden, and therefore restriction is believed to be improper. MPEP § 803. Specifically, the claims of Groups I, II and III are all directed to the field of art concerning forming ranked lists by monitoring subscribers on a network. Accordingly, Applicant respectfully submits that concurrent

search and examination of all claims of Groups I, II and III can be made without serious burden.

Based on the foregoing remarks, Applicant respectfully submits that the restriction requirement is improper and therefore request reconsideration and withdrawal of the restriction requirement, and the concurrent examination of all currently-pending claims of Groups I, II and III.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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